



W.P.(MD) No.6871 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.6871 of 2018

Rajarathinam

... Petitioner

/vs./

The Assistant Engineer,
Rural,
Tamilnadu Electricity Board,
Kujiliamparai,
Vedasandur Taluk,
Dindigul District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to include the petitioner's name and granted the joint service connection with regard to Kottanatham Electricity Service connection No.0521700326 situated at Kottanatham village, Vedasandur Taluk, Dindigul District, based on the petitioner's representation dated 13.02.2018.

For Petitioner : Mr.G.Gomathi Sankar
For Respondent : Mr.S.Deenadhayalan
Standing Counsel



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ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondent to include the petitioner's name and grant joint service connection with regard to Kottanatham Electricity Service connection No.0521700326 at Kottanatham village, Vedasandur Taluk, Dindigul District.

2.The case of the petitioner is that the petitioner is in possession of the land, which belongs to the petitioner's grandfather, Samiappa Pillai, which was later partitioned between the petitioner's father, Manickam Pillai and his elder brother, Arunachalam Pillai.

3.It is the case of the petitioner that the property has a common Well and that an electricity connection was obtained in the name of the petitioner's uncle, ie., the petitioner's father's elder brother, Arunachalam Pillai and that the legal heirs of Arunachalam Pillai had sold the property to third party. Therefore, taking advantage of the sale and the common service connection, the purchaser of the property had refused to give right to the petitioner to use the electricity connection.



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4.It is submitted that though the service connection was obtained in the name of Arunachalam Pillai, the petitioner and his brother were using the connection for drawing water from the common Well and that because of the sale by the legal heirs of Arunachalam Pillai, the petitioner is unable to utilize the same.

5.It is further submitted that the petitioner has given a representation to the respondent to change the service connection in the name of the petitioner and others. However, it has not evoked any response.

6.The learned Standing Counsel for the respondent submits that no representation has been received from the petitioner along with documents. In any event, it is open for the petitioner to apply for fresh connection. If an application is filed along with appropriate documents, the petitioner's application will be considered and disposed of.



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7. Recording the submission of the learned Standing Counsel for the respondent, the Writ Petition stands disposed of by directing the petitioner to approach the respondent for separate connection based on the documents. If such an application is filed along with documents, the respondent shall consider and dispose of the same to give separate connection to the petitioner for the Well in question or in alternative to include the name of the petitioner in the existing connection. No costs.

Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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